assign the claim to another, and send it to another state [Iowa] for the purpose of bringing garnishment proceedings in that state for the very purpose of securing the advantage afforded by the exemption laws of Iowa. This was the privilege that was open to him in common with all citizens of the United State. *Harwell* v. *Sharp*, 85 Ga. 124, 11 S. E. 561, 8 L. R. A. 514, 21 Am. St. Rep. 149. There was no statute in this state forbidding such a proceeding until the passage of chapter 57 Laws 1893. (Rev. St. Wis. 1898, § 4438 f.), which went into effect March 29, 1893. [The claim was assigned before March 1, 1893]. In *Griggs* v. *Doctor*, 89 Wis. 161, 61 N. W. 761, 30 L. R. A. 360, 46 Am. St. Rep. 824, it was held that a court of equity might properly enjoin an attempt to evade the exemption laws of this state by the prosecution of garnishment proceedings in a foreign state against one of our own residents. This principle, however, is of no avail here. A court of equity enjoins the commission of many acts for the commission of which a court of law could give no damages."

MALICIOUS PROSECUTION—CIVIL CASES.—Suit was brought upon a note and writs of attachment issued and properly levied; the suit was subsequently dismissed by request of the party in whose name the action was brought who stated that the note had been paid and that the suit had been instituted without her authority. When the motion was made to dismiss the suit, A, who had unlawfully come into possession of the note and who had in reality instituted the proceedings upon her statement that she was the owner of the note, was substituted as party plaintiff. About a year afterwards the suit was dismissed. Then the makers of the note brought an action against A for malicious prosecution alleging as damage the expense of resisting the writs of attachment, the injury to their credit and reputation, and being prevented from selling the property. It was objected that the complaint did not state facts sufficient to constitute a cause of action. *Held*, that the complaint stated in general terms a perfect cause of action and that it was proper to show as an element of damage, injury to the reputation of the plaintiffs and also the financial standing, and the ability to respond to a judgment, of the defendant. *Lord* v. *Guyot* (1902),— Colo. —, 70 Pac. Rep. 683.

As stated by Corliss, C. J., in *Kolka* v. *Jones*, 6 N. D. 461, in regard to the requisites necessary for an action for malicious prosecution; "on this very interesting question we find the decisions in hopeless conflict." There appear to be two rules:—the English rule which has been adopted by a few of the American states which is, that no suit can be instituted unless person or property has been seized and special injury sustained which would not ordinarily result in all suits prosecuted to recovery for like causes of action. *Am. & Eng. Enc. of Law*, (2d ed.), Vol. 19, p. 652. The second rule which has been adopted in most of the states is, as stated by Judge Cooley in his Elements of Torts, p. 56, note 6, that an action may be maintained for the malicious institution without probable cause, of any civil suit which has terminated in favor of the defendant. See also 1 MICH. LAW REVIEW, 131. Concerning the allowance of damages in such suits for injuries to reputation it is generally allowed to natural persons; *Kennedy* v. *Meachem*, 18 Fed. Rep. 312; *Wheeler* v. *Hanson*, 161 Mass. 370, 37 N. E. 382; *Sheldon* v. *Carpenter*, 4 N. Y. 579; but not to corporations. *Supreme Lodge* v. *Unzagt*, 76 Md. 104, 24 Atl. 323.

MALICIOUS PROSECUTION—PROBABLE CAUSE.—An insurance agent was found to be short in his accounts. Upon information by his employers, the surety company which had furnished his bond commenced a prosecution for